THE

NATURE, EXTENT, AND IMPORTANCE,

OF

THE DUTY OF ALLEGIANCE.

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THE DUTY OF ALLEGIANCE:

A

SERMON,

PREACHED AT ABERDEEN,

DECEMBER 12, 1776,

BEING

THE FAST DAY APPOINTED BY THE KING,

ON ACCOUNT OF

THE REBELLION IN AMERICA.

THE SECOND EDITION,

WITH NOTES AND ILLUSTRATIONS.

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BY GEORGE CAMPBELL, D. D.

PRINCIPAL OF MARISCHAL COLLEGE.

ABERDEEN:

Printed by J. Chalmers and Co.

MDCCLXXVIII.

ADVERTISEMENT.

It is not of any importance to the Public to be made acquainted with the motives which have induced the Author to publish the following sermon. He will only say, that he had no such intention when he composed and preached it. But there are two points on which, he doubts not, many readers will think, he stands in need of an apology. Of them he begs a candid attention to what follows, as the best that he can offer.

It may be said, that little can be expected new, *especially in a sermon, on a subject which has now so long engrossed the public attention, and engaged many able and ingenious writers on both sides. The author readily admits the truth of this remark. If there be any thing here that can be called* new, *it is the consideration of what our religion teaches to be the duty of christians in circumstances like ours. This topic has not been touched, at least in any of those writings which he has read on the present controversy. But though there be little or nothing* new *in the thoughts, every author has his peculiar manner and arrangement. One manner is better adapted to one set of readers, another to another. If the sentiments then be just, and if they be arranged and expressed with tolerable perspicuity, it may be hoped that there are some to whom they will be useful.*

The second point on which the author finds he must apologize for himself, is his entering at all on such a subject in a sermon. *Indeed the prejudices of some*

are so strong on this article, that he scarcely expects that any thing he has to advance, will entirely remove them. The cry is, '*What has the minister of the gospel to* '*do with matters of state, or christianity with human* '*politics?*' *The ambiguity of the terms* politics *and* matters of state *gives a specious appearance to the objection. The church, no doubt, would be a very improper place for the discussion of many points relating to national interest, and of questions of jurisprudence, which might be very pertinent in the cabinet or the senate. But when a question arises that affects the title of the magistrate to demand, and the obligation of the subject to yield, obedience; if the precepts of the gospel at all concern our conduct as* citizens, *it must be the duty of a christian pastor to point out to his flock what these precepts command, and what they prohibit.*

Our Saviour, in his last charge to his apostles, expressly enjoined them to teach all those whom they should convert and baptize, to observe all things whatsoever he had commanded them [a]. *Now it is as really a commandment of our Lord, that we should* render to Cesar the things that are Cesar's, *as that we should* render to God the things that are God's [b]. *Have not his apostles accordingly, Paul and Peter in particular, given most explicit directions on this very head? Paul not only recommends this duty himself to christian congregations, but in the instructions he gives to Titus, who was also a minister, specifies it by name as an important duty, which he ought not to neglect recommending to his people.* Put them in mind, *says he,* to be subject to principalities and powers, to obey magis-

[a] Mat. xxviii. 20. [b] Mat. xxii. 21.

trates [c]. *Can we then think ourselves excused in omitting to teach and inforce so momentous a duty, so strongly recommended to us both by the example and by the precept both of our Lord and of his apostles? In the general order Christ gave his disciples to teach the people to observe all things, whatsoever he had commanded them, were they at liberty to make an exception of this?*

Some perhaps will reply, ‘ *Were the duty recommended only in general terms by the minister, as a christian duty, no objection could reasonably be made; but to enter into a detail of facts, or an argumentative discussion on such a subject, is what appears unsuitable to the place.*’ *To this the Author has only to answer, The manner, whether general or particular, derives its suitableness entirely from the occasion and circumstances. When people regularly do what they ought in any instance, and when their minds are in no danger of being perverted by false principles, it is perhaps enough to remark their obligations passingly. But the case is different, when by misrepresentations of fact, or by sophistical arguments, their minds begin to be alienated from their duty, and they learn to* call evil good, and good evil, to put darkness for light, and light for darkness, bitter for sweet, and sweet for bitter. *It is then the business of the preacher, if preaching be not a mere matter of form, to do what he can to inform them better, both as to the fact, and as to the argument. Can then the observance of the duty we owe to magistrates, be an unseasonable subject at present, when so many are at such uncommon*

[c] Tit. iii. 1.

pains (some doubtless thro' mistake, and some thro' ill design) to undermine it?

The pulpit *without question would be an improper place for canvassing the economical regulations, which might properly be adopted in the government of families. But if tenets should be advanced, and warmly recommended, totally subversive of the honour due from children to their parents, and of the obedience due from servants to their masters, would he deserve the character of a minister of Christ, who chose to continue silent, and under the silly pretext, that the pulpit was not intended for discussing family affairs, would take no concern in the controversy? Shall we find men that are indefatigable in distributing* poison, *and shall not those who have it in their power, be at some pains to administer the* antidote?

It has in like manner been urged, that 'Under 'these plausible pretences, the pulpit *hath sometimes 'been made the instrument of raising* sedition, *and of 'doing the greatest mischief to the public.' The charge is indeed but too true. But is that a good reason for not employing it for the contrary purpose of inculcating* allegiance *and* loyalty? *The pulpit has also been often employed in the service of* error. *Shall it therefore never be used for the advancement of* truth? *It has often been perverted to be instrumental in kindling* persecution. *Shall it therefore be accounted improper to use it in recommending* the moderation, the meekness, and the gentleness of Christ? *Besides, will those who abuse the pulpit by employing it to a bad purpose, be the less disposed to do so, because nobody dares oppose them from the pulpit?*

From the manner in which some talk of the business of a preacher, one would imagine, that in their apprehensions, he ought ever to be occupied (as preachers have been but too often occupied) in doating about questions and strifes of words, *discussing all the futile logomachies of the schools, which gender contention, envy, bigotry, and wrath, but* minister not to godly edifying, *to pious and practical instruction.*

The Author begs leave to add, that he hopes the doctrine here maintained may be of some service, independently of the American disputes which have occasioned its publication. There is a real danger arising from the loose and republican principles now so openly professed, and so assiduously disseminated, thro' the British isles; which, should they still make progress, as they seem to have done for some years past, might, after the present controversy is settled and forgotten, involve this country in the most direful calamities. On the other hand he is happy to observe that this quarrel has excited some persons of great learning and penetration, fully capable of doing justice to the subject, to examine more narrowly than had been done before, into the origin, nature, and end of civil government. [a] *It may be expected as the consequence, that the wild schemes of our political visionaries, for there are visionaries in politics as well as in religion, will in due time be properly exposed, and at length abandoned by every body.*

[a] *The public has been promised by an eminent writer, one entirely equal to the subject, an examination of Mr* LOCKE's Theory of government. *It is earnestly wished by many, that an* enquiry *so useful in itself, and so peculiarly seasonable at present, may not be unnecessarily deferred.*

PROVERBS XXIV. 21.

—MEDDLE NOT WITH THEM THAT ARE GIVEN TO CHANGE.

OUR religion teacheth us to consider all afflictions as chastisements for sin, and as mercifully intended by our heavenly father to bring the afflicted to reflection and repentance. National calamities we are taught to regard as the punishments of national vices, and as warnings to the people to bethink themselves and reform. *In the day of adversity consider*, is an admonition equally apposite, as applied to individuals and to nations.

When the trouble itself, whether private or public, is the immediate and natural consequence of particular vices, it is more especially a call to examine into those vices which are the direct source of our calamities, that by the grace of God we may forsake and avoid them. Thus a bad state of health caused by debauchery, specially warns the suffering person of the necessity of temperance in the indulgence of appetite. And the miseries of a civil war, whether incurred by immoderate stretches of power on the one side, or produced by a wanton abuse of liberty on the other, are loud and particular calls to the correction of these enormities.

If this be a just representation, no christian can reasonably doubt that our present distressful and threatning circumstances in regard to America, ought to be thus viewed by every British subject on

both ſides of the Atlantic. War of every kind points more directly to the depravity of our minds and the corruption of our manners, than do thoſe public calamities, famine, peſtilence, and earthquake, which are conſidered as proceeding immediately from the hand of God. They are all to be regarded as the puniſhments, but not as the natural effects, of ſin. Whereas war is to be viewed equally in both lights. *Whence come wars and fightings amongſt you*, ſays James, *come they not hence, even of your luſts that war in your members*[a]? It is within the human breaſt that this mighty miſchief is conceived. There the fire is lighted up, which afterwards burſting forth ſets the world on flame.

In every war then, foreign or domeſtic, there is on one ſide or the other, not ſeldom on both, ſome immorality or guilt which is the direct cauſe. The ſuperintendency of Providence is doubtleſs to be acknowledged in this, as in every other event. And therefore affliction of every kind ought to excite us to ſelf-examination, prayer, and repentance. But thoſe which people more directly bring upon themſelves, ought to lead them to enquire into the immediate cauſe, that ſo the preſent evil may, as far as depends on them, be ſoon remedied, and ſuch a proper ſenſe of their duty attained, as may at leaſt be ſome ſecurity, that they will not be inſtrumental in fomenting the latent miſchief, but will, on the contrary, do what they can, to check its progreſs. Beſides, to entertain juſt notions on theſe ſubjects

[a] Jam. iv. 1.

is one of the ſureſt means of guarding men againſt the like evils in time to come.

Not indeed that wars of any kind, and eſpecially inteſtine wars, always ſpring from opinion or principle. Their primary and ordinary ſource is much more properly repreſented in the words of the inſpired writer, to be our *luſts* that *war in our members*. It is mens avarice, ambition, or revenge. At the ſame time it muſt be owned, that the firſt movers in ſuch commotions are but *few*, the bulk of their followers, miſled by their artifices and miſrepreſentations, drive on blindfold, as they are ſtimulated, not knowing what they do. Nothing therefore can more expoſe people to be the dupes of wicked and deſigning men, than either to have no principles at all on this ſubject, or to entertain wrong principles. *The few* can do nothing without *the many*. The former generally are hurried on by their paſſions, the latter by the erroneous notions, which thoſe who find their account in deceiving them, are indefatigable in ſowing and cultivating. For this reaſon, if the groſs of the people be in the wrong, they are more to be pitied than condemned, for they often do the greateſt miſchief with the beſt intentions imaginable. Like Paul before his converſion, they have *a zeal* for God and for their country, but it is *not according to knowledge*. Like him alſo, many of them, we may reaſonably believe, would act a contrary part, if they ſhould come to be convinced of their error. When people are gone a certain length in an evil courſe, we ſee from experience that it is next to impoſſible to reclaim or convince them. It is conſequently one of the beſt offices that we can do to our countrymen and fellow-

chriſtians, when pernicious errors begin to be diffuſed, and to be plauſibly, or at leaſt popularly ſupported, to uſe our utmoſt endeavours in the way of prevention, by propagating and defending what both reaſon and ſcripture ſhow to be the truth.

This conſideration, ye will readily ſuppoſe, has led me to make choice of theſe words of Solomon as the ground of my diſcourſe, *Meddle not with them that are given to change.* Our gracious ſovereign has very properly called us on this occaſion, to humble ourſelves before the Divine Majeſty, to implore his merciful interpoſition in our favour, that being warned by the tremendous judgment of a civil war raging in the colonies, we may be induced to repent of our ſins, amend our lives, and thus avert the divine anger: I judged therefore that I could not better employ a ſmall portion of a day ſet apart for ſo pious a purpoſe, than in arming you againſt thoſe errors in particular, which have contributed ſo much to our preſent calamities; and in ſhowing the obligations which as men, as citizens, and as chriſtians, ye lie under to give obedience to the powers which providence hath ſet over you, and *not to meddle with them that are given to change;* that is, to avoid giving your countenance or aid, either by ſpeech or by action, to the meaſures of thoſe who would, on ſlight pretexts, ſubvert all eſtabliſhed order, and throw every thing into confuſion.

I am not ignorant that it may plauſibly be urged againſt the propriety of diſcuſſing theſe points in this audience, that *very few* of *us* can be charged with entertaining principles tending to vindicate the reſiſtance made to authority in the remote parts of the

Britiſh empire. In general therefore we need not a refutation of opinions which we do not hold. The aſſertion I acknowledge to be juſt in point of fact, and rejoice that on the beſt grounds I can affirm that it is. But I am far from thinking it concluſive in point of argument. Tho' there be *few*, there are *ſome*. And ſuch writings as, in my judgment, inſtil and propagate the moſt unchriſtian and moſt dangerous doctrines on this ſubject, are daily circulated amongſt us. *The few* may in proceſs of time grow to be *the many*. The greateſt ills are often inconſiderable in their beginning; and ſometimes the moſt memorable revolutions may be traced up to very ſlight cauſes. Frequent *miſrepreſentations* and clamours breed diſcontent. *Diſcontent* gradually produces diſaffection. *Diſaffection* long continued ſettles into *diſloyalty*; and this laſt waits but an opportunity to bring forth *rebellion*. Preventive remedies, it is well known, are commonly more effectual than corrective ones. And often, had the proper medicines been taken in time, thoſe diſeaſes might have been cured, which, allowed thro' neglect to become inveterate, baffle the art of the phyſician. Beſides, the medicine I mean to adminiſter, is of that ſafe kind, which, if it do no ſervice, or be not neceſſary, will do no hurt.

It is only by the inſtruction and reformation of particulars, however ſmall a part each is of the whole, that the general inſtruction and reformation can be effected. And the national ſentiments are no other than thoſe which prevail with the majority of the individuals of whom the nation is compoſed. Let us then, in the preſent great national conteſt, enquire

impartially where the radical error lies; for that there is an error ſomewhere, is allowed on both ſides.

NOW the better we are informed in the rights of magiſtracy in general, and in the chief circumſtances of the preſent caſe in particular, there is the greater probability that our conduct ſhall be regulated by the obligations we lie under, and that it ſhall be ſteady and uniform. On theſe two topics therefore, *the rights of magiſtracy*, and *the grounds of the preſent colonial war*, I purpoſe, with the aid of heaven, to offer a few obſervations.

THE precept in my text, *Meddle not with them that are given to change*, evidently prohibits us from favouring innovations in matters of government, or concurring in violent and irregular meaſures, for the purpoſe of effecting ſome change either in the governors or in the form of government. Such alterations or amendments in the laws as may be regularly and conſtitutionally introduced, and may be conducive to the improvement of the body politic, are by no means comprehended in the prohibition given by this ſage monarch. It is, on the contrary, the duty of every one in office, to exert the power which the conſtitution gives him, in ſuch a way as will moſt promote the public welfare, correcting whatever is amiſs, and improving whatever is found defective. The precept contained in my text may no doubt be trangreſſed either by the *governors* or by the *governed*. It is with regard to the latter, that I intend at this time principally to conſider it: and for this end I

muſt beg your patient attention to the following remarks.

Firſt, it ought to be remembered, that the general precept to be obſerved by the people in regard to their rulers is, to obey them. *Let every ſoul be ſubject to the higher powers*, ſays Paul, and, *He who reſiſteth the power, reſiſteth the ordinance of God.* Again, *Be ye ſubject therefore, not only for wrath, but for conſcience ſake* [a]. To the ſame purpoſe the apoſtle Peter, *Submit yourſelves to every ordinance of man for the Lord's ſake, whether it be to the king as ſupreme, or to governors, as to them that are ſent by him, for the puniſhment of evil doers, and for the praiſe of them that do well.* He adds, *For ſo is the will of God, that with well-doing ye may put to ſilence the ignorance of fooliſh men* [b].

'Are we then to conclude, that reſiſtance to go-
'vernors is in all caſes unlawful, and that whatever
'part they act, however oppreſſive and tyrannical,
'the governed have no choice but obedience and ſub-
'miſſion?' I do by no means affirm this. There are few general rules that admit no exception. Conſider the commandment, *Thou ſhalt not kill* [c]. Does it import that in no poſſible circumſtances one man is permitted to take the life of another? No certainly. Notwithſtanding this unlimited prohibition, we all allow, and have ſufficient warrant from ſcripture for allowing, that in ſeveral caſes, as in the judicial puniſhment of crimes, in ſelf-defence, and in lawful war, it not only may be vindicated, but is even a duty, to deprive another of life. Nor let it be urged,

[a] Rom. xiii. 1, 2, 5. [b] 1 Pet. ii. 13, 14, 15. [c] Exod. xx. 13.

that the term rendered *kill*, ought to have been translated *commit murder*; for it is certain that the Hebrew word is of as extenſive ſignification as the Engliſh, and applied indifferently to lawful as to unlawful killing. *Children, obey your parents*, ſays the apoſtle Paul, *IN ALL THINGS*. The ſame injunction is alſo given to ſervants in regard to their maſters.[a] This, one would think, excludes all exception, if words can exclude it. Yet I believe no chriſtian will urge, that there would be an obligation to obedience from this precept, ſhould a parent command his child, or a maſter command his ſervant, *to ſteal*. I ſhall offer but one other inſtance, an inſtance which nearly reſembles the point in hand. Our Lord has given us this expreſs prohibition, *Reſiſt not evil*[b], and that without any reſtriction whatever. Yet if this were to be underſtood by chriſtians as admitting no exception, it would among them aboliſh magiſtracy itſelf. For what is *magiſtracy*, but, if I may be allowed the expreſſion, a bulwark erected for the defence of the ſociety, and conſequently for the very purpoſe of *reſiſting evil*, for repelling injuries offered or committed, either by foreign enemies from without, or by its own corrupted members from within? Therefore, unleſs the nature of the thing require it, we cannot conclude ſo much from a general propoſition.

And that the nature of the thing does not in this caſe require it, is manifeſt from this conſideration, that government obliges us in conſcience to obedience and ſubmiſſion, only becauſe it is the *means* appointed by providence, for promoting one of the

[a] Col. iii. 20, 22. [b] Matt. v. 39.

moſt important ends, *the good of ſociety*. If this inſtitution therefore ſhould, in any inſtance, ſo far degenerate into tyranny, that all the miſeries of a civil war conſequent on reſiſtance, would be leſs terrible than the ſlavery and oppreſſion ſuffered under the government, then, and only then, could reſiſtance be ſaid to be either incumbent as a duty, or even lawful. It cannot reaſonably be denied that the principle of ſelf-defence is as natural and juſtifiable in communities, as in individuals.

Thus much I thought it neceſſary to premiſe, for the ſake of truth, and that it might not be imagined, I mean to argue on the ſlaviſh, unnatural, and juſtly exploded, principles of *paſſive obedience* and *non-reſiſtance*; principles whoſe manifeſt tendency is the eſtabliſhment and ſupport of deſpotiſm. At the ſame time it is but doing juſtice to the argument, to take notice, that if there be a danger on the one hand, of tying the knot of allegiance, which binds the ſubject to the ſovereign too hard, there is no leſs danger on the other, of making it too looſe. Nothing is more common than for people to run from one extreme to another. We have indeed happily abandoned the abſurd tenets above-mentioned, but is there no reaſon to dread that many in this iſland are running precipitately into the oppoſite error? an error whoſe direct tendency is *anarchy*, which commonly terminates in uſurpation and tyranny, the very thing propoſed to be avoided by reſiſtance. That we may be properly guarded againſt ſo fatal a miſtake, I hope, my brethren, to be indulged on this head a

little further, whilst I consider as briefly as possible the extent both of the precept and of the exception.

The *extent* of the precept to obey governors can only be ascertained by attending to the *end* of government. Now the end of government is, as was observed, the *good* of society, especially of the governed, who make the major part. Paul speaking of the magistrate, says, *He is the minister of God to thee for good*[a]. It will be asked on the other side, 'Can 'this consideration entitle him to obedience, when 'he adopts a measure that instead of promoting the 'public welfare, is really hurtful?' That we may be furnished with a proper answer to this question, we must remark first, that the apostle mentions the end of *magistracy*, which is the good of society, as the great foundation of allegiance, not the end of every *measure* which the magistrate may think proper to adopt. He is but a man, and therefore fallible as well as others. He is liable both to error and to vice. Many measures he may adopt that are improper; notwithstanding which, the end of the office, the *common good*, may be promoted by him. And true public spirit incites us equally, in what regards the community, to prefer the greatest of different good things and the least of different ills. Now there may be many bad measures adopted by the ruling powers, which nevertheless could not do half the mischief that would necessarily ensue from the subversion of authority. For it ought always on this subject, to be taken into consideration, that resistance strikes immediately, not only against the particular measure resisted, but against the office of the magistrate, and therefore tends to

[a] Rom. xiii. 4.

tally to ſubvert authority, and unhinge the conſtitution If then by reſiſting, we looſe, as much as in us lies, the bands of ſociety, and introduce anarchy with all its baneful conſequences, on account of any meaſures, the ill effects whereof are not ſo much to be dreaded as thoſe wherein the nation would be involved by the diſſolution of government, we run into a greater evil to avoid a leſs.

Let it be further obſerved, that in *bad* meaſures themſelves there is a great difference. Some are denominated bad becauſe *inexpedient*, that is, not well adapted to the end intended by them. Thus a tax may be laid on one commodity which diſtreſſes the people more, and yields leſs to the revenue, than if it had been laid on another. Others are termed bad becauſe *immoral*, as when any thing is commanded contrary to the law of God. In regard to the firſt there cannot be a ſhadow of doubt. For if every man were at liberty to judge for himſelf how far the means adopted by his ſuperiors, were fitted to the end, and conſequently how far he were obliged to give obedience to the laws, there could be no government at all. The people would be either in a ſtate of perpetual warfare, or at perfect liberty to do as they pleaſe. If the latter were the caſe, it would be abſurd to talk of *laws* or *orders*; the only proper terms would be *counſels* or *advices*. Among ſuch, and only among ſuch, it might be juſtly ſaid, "Every "man is his own legiſlator." But this ſtate of things (for a conſtitution it cannot be called) may ſuit the perfection of angels, who are all good and wiſe, but will never ſuit the pravity of human nature. In regard to the other ſort of bad meaſures, where ſome-

thing *sinful* is enjoined, it is certain that no man is bound to yield an active obedience to a human law which, either from the light of nature or from revelation, he is persuaded to be contrary to the divine law. Here the maxim takes place, "We ought to obey "God rather than man."

But even as to such laws, the subject is not always entitled to oppose the magistrate by force. In the days of the apostles, the christians submitted to any sufferings rather than give obedience to the heathen laws in favour of idolatry; yet they neither made war upon the magistrate, nor pulled down the images, altars, and temples of idolaters. 'Is religion 'then never a sufficient ground of active opposition 'to the ruling powers?' That cannot justly be inferred neither. Government has for its object, the *whole* society, not a separate *part*. There is therefore a great difference between what may be called an attack on the rights both natural and civil of *the whole*, such as is the religion of the community, and an infringement of the natural rights of *a few*.

A man's right to his opinions may be truly said to be both *natural* and *unalienable*. As they depend not on his will, it is not in his power to alter them. And no law is obligatory which commands a man to lie. Religious toleration therefore may justly be considered as a natural right. The two most definable, tho' not the only, limits to all civil laws are the *impossible* and the *immoral*. A law commanding men to believe certain religious tenets, attempts the *impossible*, and is therefore not so properly tyrannical as absurd. Laws can have no more effect on the belief or opinions of any who are capable of

forming opinions, than they can have on the bodily ſenſes. A law commanding men, under pains and penalties, to profeſs opinions in religion which they diſbelieve, enjoins ſomething *immoral*, and is therefore at once impious, tyrannical and abſurd. It undermines its own foundation, requiring an obedience which cannot be yielded without ſubverting the authority of conſcience, whence all ſorts of obligation civil and religious originate. It propoſes what is in politics the greateſt of abſurdities, to make people *good citizens*, by making them *bad men*. But the duties enjoined by the law of nature may alſo be enforced by civil laws under civil ſanctions. Of this kind are almoſt all the criminal laws in every country.

Further, there is a great difference between the ſubmiſſion due to meaſures tending to the preſervation of what is eſtabliſhed, and the ſubmiſſion due to meaſures tending to its ſubverſion; and that without taking into conſideration the goodneſs or the badneſs of the eſtabliſhment. The former is favourable to public tranquility and order, becauſe conducing to that which the community, whether right or wrong, eſteems its good. The latter is hardly ever attempted without endangering, and not ſometimes without overturning, the public tranquility. Now as it is a principle of common ſenſe, that a leſs evil ſhould be born to prevent a greater, ſo it is a fundamental principle in government, whoſe end is common utility, that private intereſt ſhould give place to public. It holds in general therefore, that no man, no body of men, conſtituting but a ſmaller part of the community, are entitled to reſiſt the magiſtrate by force in what is properly a private quarrel, even tho' they

ſhould think themſelves, and be in fact, unjuſtly treated by him. For there is a very great difference between not being obliged to give an active obedience, and being entitled to make an active reſiſtance.

I admit that caſes may be ſuppoſed ſo atrociouſly barbarous, that nature would reclaim againſt the ſeverity of this doctrine, and the heart of every feeling perſon would juſtify the oppreſſed in giving way to the impulſe of that moſt natural and rooted principle, *ſelf-defence*. But ſuch caſes are uncommon any where, and hardly ever to be found in free or limited governments. Yet even in ſuch caſes, the very utmoſt we can ſay is, that humanity and candour would admit the greatneſs of the provocation as an apology for the reſiſtance, which would be conſidered as *excuſable*, not regarded as incumbent. In ſupport of authority a poſitive *precept* is pleaded; in ſupport of ſuch a reſiſtance as has been now ſuppoſed, the utmoſt that could be urged is an implied *exception* reſulting from extraordinary circumſtances. In every caſe in which the rule holds, to tranſgreſs it is an invaſion of the *rights of others*, not only the rights of the magiſtrate, but the right of the ſociety, whoſe peace and order we diſturb; whereas in the particular caſe above ſtated, not to avail one's ſelf of the exception, is only to yield of *one's own right*, a thing which in moſt caſes is entirely in one's own power.

Our duty as chriſtians often requires us to act this part, and to reſign a private claim for the good of others. The example of our Lord teaches it, who, to avoid contention and offence, provided himſelf miraculouſly with the tribute money, when he

might have pleaded a legal exemption from paying it[a]. To ſuch particular caſes the precept, *Reſiſt not evil*, ought to be underſtood as principally applicable. That we ought patiently to endure private injuries, rather than by endeavouring to obtain redreſs, hurt a more important and public intereſt, is alike the dictate of true patriotiſm and genuine chriſtianity. *Why do ye not rather*, ſays Paul to the Corinthians, *take wrong? Why do ye not rather ſuffer yourſelves to be defrauded*[b]? Rather than what? Rather than bring ſcandal on the chriſtian community, rather than breed variances amongſt yourſelves.

I obſerve further, that the cauſe which juſtifies reſiſtance would not only need to be both *important* and *public*, but clearly and by the community *underſtood* to be ſo. It were madneſs in *one* or a *few*, in a caſe wherein the peace and felicity of ALL are concerned, to decide for the whole. The immediate miſchiefs to ſociety would be *manifeſt*, the remote advantages *uncertain*. Nor is it leſs evident, that where the caſe is in any degree doubtful, our only ſafe way is to follow the precept which enjoins obedience, and not an exception, about the exiſtence of which we are dubious. Nor needs any other reaſon be aſſigned for this conduct, than that it is conformable to the general precept, which we are commanded to follow as our rule. As this therefore is a chriſtian duty in every caſe, unleſs where the exception actually obtains, it is incumbent on us in every caſe, unleſs where we perceive that the exception obtains. *Whatſoever is not of faith, is ſin*[c].

[a] Mat. xvii. 24, &c. [b] Cor. vi. 7. [c] Rom. xiv. 23.

There is no middle way. The divine precept is ſolely in favour of obedience; to diſobey is in fact to decide in favour of an *exception*, which, unleſs it be glaring, ought never to be ſuppoſed to exiſt. In regard to it the law is ſilent. It is not of the ſpirit of the law to put extraordinary caſes. It leaves ſuch, from the manifeſt urgency and importance of the circumſtances, to ſuggeſt the neceſſity of a deviation from the rule. *To reſiſt* has been, with the greateſt juſtice, ſtyled in the body politic *a deſperate remedy*, as it brings into the moſt imminent hazard its very exiſtence; it would then be no other than diſtraction to employ it, if we were doubtful whether the diſeaſe of the ſtate were *deſperate*, or even perhaps whether ſhe laboured under a diſeaſe or not. If diſobedience and reſiſtance are to be regarded (as by all wiſe and good men they have ever been regarded) as at beſt but neceſſary evils, common ſenſe requires, that we be convinced of the neceſſity, before we recur to the evil. [a]

[a] It does not overthrow this ſyſtem, as has been objected, that the people muſt judge, whether in any exigency that ariſes, they ought to recur to reſiſtance; nor does it follow, that they have a *right* to reſiſt, whenever they *think* it neceſſary. Their right commences with the *real*, not with the *imagined*, *neceſſity*. They judge therefore, and muſt conſider themſelves as judging, in peril of incurring by raſh judgment, the complicated guilt of murder, rebellion, and the worſt of parricides, the deſtruction of their country. Antecedently to every action that can be called a man's own, he muſt both judge and determine. But did ever any body conclude hence, that he has a right to do whatever he determines; in other words, that he cannot determine wrong? "War is a dreadful evil." Yet one nation has a right to make war on another *in certain caſes*. Now, if there is ſuch a right, every na-

In these observations I have all along argued from what both reason and scripture show to be the end of government, *public utility*, a principle sufficiently simple and intelligible, and from which alone every just limitation may easily be deduced. I have not mentioned *the original compact*, one of the hackneyed

tion must judge for itself, when it ought to be exercised. But was it ever deduced as a consequence, that this right cannot mean less than *a right in every people to make war on every other, whenever they think it necessary?* On the contrary, "those "who involve a people in it *needlessly*," I use the objector's own words, "will find they have much to answer for. No-"thing can ever justify it, but the necessity of it," (surely he means *real*, not *supposed*, or *pretended*, necessity, for this is never wanting) "to secure some *essential* interest against un-"just attacks." Have they less to answer for, who kindle a civil war, of all kinds the most dreadful? Will less serve to justify it?——In this particular, our republicans have advanced higher claims in favour of *the people*, than the votaries to the patriarchal scheme ever did in favour of *the sovereign*. The former scruple not to ascribe a real *infallibility* to the multitude. I never heard of any of the latter, however bigoted to the principle of divine, hereditary, indefeasible right, that attributed so much of divinity to the monarch. These will not hesitate to admit that a king may be a *tyrant*, tho', in their judgment, it does not belong to the nation either to check, or to chastise him; whereas the former will not allow that the people ever can be *rebels*. I am hopeful, however, they will not maintain that the people every where, and in all ages, have been endowed with this *infallible* discernment of what is necessary. Will they say that the Israelites in the wilderness were possessed of it when they compelled Aaron to make the golden calf, and celebrated a festival in its honour; or when, upon hearing the report of the spies, they tumultuously clamoured for the election of a captain to lead them back to Egypt? Yet they seem to have been almost unanimous in *thinking* these measures absolutely *necessary*.

topics of writers on politics. My reaſon is, I neither underſtand the word, as applied by thoſe writers, nor know where to find the thing to which they refer. That there may have been polities founded in compact, I make no queſtion; but the hiſtory of the world will ſatisfy every reaſonable perſon, that in many more caſes, perhaps thirty to one, ſtates have ariſen from cauſes widely different. If thoſe, however, who uſe the expreſſion, mean no more when they ſay that magiſtrates have violated *the original compact*, and are therefore no longer entitled to the obedience of the ſubject, than I mean when I ſay, they ſo manifeſtly counteract *the great end of magiſtracy*, as renders reſiſtance itſelf leſs a public evil than obedience, I ſhall admit the phraſe, tho' I cannot help conſidering it as both an obſcure and an improper way of expreſſing a plain ſentiment. But if ſomething further be meant, I ſhould like, before I ſay any thing for, or againſt it, to have ſome evidence of the *exiſtence* of ſuch a compact, and likewiſe to know a little of its *contents*. As the matter ſtands, I conſider it as one of thoſe phraſes which are very convenient for the profeſſed diſputant, becauſe they are both indefinite and dark, and may be made to comprehend under them all the chimeras of his own imagination. Many ſuch have been introduced into this controverſy, which, as they only ſerve to perplex it, are very apt to miſlead the unwary.

I return to my ſubject. Various circumſtances in different countries have given riſe to the eſtabliſhment of various forms of government. Tho' theſe are far from being equal in point of excellency, *public good* requires, that except in caſes of extremity, each

ſhould be preſerved from violence [a]. It may be objected that, on my principles, a bad conſtitution can never be amended or improved. I anſwer, To attempt the amendment by force, that is, by ſubverting the public peace, and throwing all into confuſion, is to ſeek to attain a *diſtant good*, about the attainment of which we are *uncertain*, at the price of a *certain* and *immediate evil*, in all probability greater than the good can compenſate, if attained. In all ſtates, eſpecially in all civilized ſtates, as was already hinted, there are conſtitutional methods of effecting uſeful alterations and improvements. Againſt the proper application of theſe, there can lie no objection. Thoſe only are the innovators alluded to in my text, who by irregular, violent, and unconſtitutional methods, by reſiſtance and revolt, ſeek to ſubvert the eſtabliſhed order.

Here a queſtion may pertinently be put, 'May it 'not happen, that the innovations which give riſe 'to national calamities have originated with the '*rulers?* If they, by aſſuming an unuſual power, 'overleap the bounds of the conſtitution, fixed by 'immemorial cuſtom, by fundamental laws, or by

[a] 'But does not this ſentiment,' ſay our adverſaries, 'aſcribe 'right to poſſeſſion however acquired? Might it not ſerve to 'legalize even the *American Congreſs?*' Not at all. No poſſeſſion that cannot be denominated *peaceable* and *eſtabliſhed*, in other words, no poſſeſſion from which the people, inſtead of deriving the bleſſings of order, internal peace, and protection, reap nothing but the greateſt of curſes, confuſion, civil war, and the total inſecurity of every thing valuable, property, liberty and life, can be legalized by a ſentiment founded in a regard to public tranquility.

'positive convention, do they not come within the 'description of the persons given to change?' It is not to be denied that this may be the case, and sometimes has been. It is besides an undoubted truth, that *the rights and liberties of the people* are as real, and as valuable, and ought to be held as sacred, a part of the constitution, as *the powers and prerogatives of the magistrate.*

When *Charles* I. attempted to govern without a parliament, and to impose taxes on the people by his own authority alone, he doubtless, and all those who advised and abetted such measures, were to be ranked with *them that are given to change.* Nay, however unusual the application may be, it was properly they who did not submit to what Paul denominates *the ordinance of God, the powers that be.* The king with us possesses the whole executive power, and constitutes an essential branch of the legislative; but as the executive, from the nature of the thing, is subordinate to the legislative, he, by assuming in his own person the authority of the whole legislature, usurped what did not belong to him, and thereby opposed God's ordinance. But tho' the usurpation may be justly said to have originated with the crown, it cannot be affirmed that it ended there. The house of commons of the long parliament, quickly showed the same propensity to usurpation and despotic power. They usurped the authority of the crown and of the peers, both which constituent members of the state they suppressed, taking the whole business of legislation on themselves. They usurped likewise the rights of the people. Delegated for a limited time only, they

maintained by the ſword the poſſeſſion they had once obtained, after the time in which they had any *legal* authority was expired; and were at laſt ignominiouſly expelled by a new uſurper, a creature of their own; thus *receiving in themſelves that recompence of their error which was meet.*

They eminently evinced the danger and the madneſs of deſtroying a good conſtitution, in the deluſive hope of erecting, what ſome of them no doubt fancied, a better, in its ſtead. The wounds given by the ſtretches of prerogative had been healed, the public grievances redreſſed, ſufficient ſecurity of the rights and privileges of all orders obtained, when the houſe of commons, obſerving their aſcendency over the crown and the houſe of lords, and intoxicated with the power they had acquired, beyond their moſt ſanguine expectation, and beyond the example of all former parliaments, not knowing where to ſtop, perſiſted in their violence, till they involved the nation in blood, murdered the king, and overſet the conſtitution.

BUT deſcending from former times and from the general topic of *the rights of the magiſtrate, and the duty of the ſubject*, let us now enquire a little (which was the ſecond thing I propoſed to do) into *the merits of the conteſt* wherein we are at this time unhappily engaged with our revolted brethren in America. The examination of this queſtion will lead to the diſcuſſion of ſome points, which, tho' affecting the general nature and foundations of government, could not

have been ſo properly introduced under the former head. Can we then with juſtice charge the civil war that now rages in our colonies, on the tyranny or miſgovernment of the ruling powers? Has any thing been done that could be ſaid juſtly to provoke their revolt, to render reſiſtance the neceſſary means of *ſelf-preſervation*, and ſo to exempt them, in uſing it, from the charge of rebellion? Or, on the other hand, Have artful and ambitious men, both on their ſide of the water and on ours, had the addreſs, for their own private ends, to miſlead a people whom wealth and luxury have corrupted, and rendered prone to licentiouſneſs and faction? Have theſe *falſe friends* and *ſham patriots* inflamed their minds with imaginary invaſions of their rights, and with fears and jealouſies for which there is no foundation? In ſuch a ſituation, it is of great conſequence to people to examine the matter impartially. This is the firſt ſtep, and when properly executed, gives ſome ground to hope, that on whichever ſide the fault lies, it may in time be corrected.

The ſcene of action, it is true, lies far from us; but we are all deeply concerned in the conſequences. Beſides, in a government which hath ſo great a mixture of democracy as the Britiſh, it is of importance that the meaſures of the adminiſtration be ſupported by the favour of the people, if right; and that they be checked by the general diſapprobation, if wrong. The one tends to confirm, the other to correct, them. In this country, no miniſtry (and it is our happineſs and glory that it is ſo) can long perſiſt in a train of meaſures univerſally condemned. But if, amongſt us, ſuch is the influence of the popular

ſuffrage, we ought all to be the more careful that we be well informed. The ferment excited in the colonies, and the clamour raiſed by a faction amongſt ourſelves, are, in one view, of the moſt alarming nature. The clamour is not levelled barely againſt the miniſtry, or even againſt the government, but againſt the whole legiſlature of the country. Its too manifeſt aim is to foment in the people a ſeditious and ungovernable ſpirit, deſtructive of all authority, than which nothing can be conceived of more ruinous tendency to the conſtitution. Nothing could vindicate this conduct but the moſt flagrant danger of our religion, laws, and liberties. And I will venture to affirm, what will not be contradicted by the candid and judicious, that theſe great national concerns were never in leſs danger from the ruling powers, that in the preſent reign.

I am ſenſible that diſcuſſions of this ſort are not eaſily adapted to the pulpit, nor can a *political* controverſy, as it is called (tho' in fact a controverſy in which *morals* and *religion* are nearly concerned) be accounted level to the capacity of an ordinary audience. I ſhall not therefore enter into the numerous articles that have been made matter of diſpute ſince this queſtion began to be agitated. This is what neither propriety nor your time well permit me to do. But that our allegiance and loyalty may be not only more *rational*, but more *durable*, as proceeding from knowledge and principle, I ſhall conſider a little that which may be called *the hinge* of the controverſy, and which gave riſe to all the other and ſmaller points in queſ-

tion. Now this point is evidently the right claimed by the British parliament, *to tax* our fellow-subjects in America.

And first, in matters of government and legislation, that which immemorial *custom* has established, unless opposed by some natural or divine law, is always regarded as obligatory. Now that taxes have been imposed by parliament, even from the first settlement of the colonies, has been put beyond a doubt by the writers on that side of the question [a]. First, they were taxed, and under the odious form of an excise too, by the *long parliament* in the time of the civil wars, by that very patriotic parliament which the American demagogues set up to themselves as a standard, every way worthy their imitation. After the restoration, they were in *Charles II*'s time taxed by parliament. Nor was this measure considered as unconstitutional after the revolution. On the contrary, the former act was, in the reign of *William III.* confirmed and explained by a new one. In Queen *Anne's* time the act establishing the post-office, and the act for raising a duty from seamen for the support of Greenwich hospital, are made to bind the colonies as well as the island of Great Britain. There are acts to the same purpose in the reigns both of *George I.* and of *George II.* To these acts the colonies then submitted; for they had not then discovered their natural and unalienable right to pay no taxes, but such as have been imposed with their own consent. The real

[a] See The Rights of Great Britain asserted. Remarks on the 13th Parliament. Answer to the Declaration of the Congress, &c.

ground of the difference is, Then they were poorer and more humble, now they are richer and more proud.

Nor do their *charters*, as has been falſely pretended, give any ſupport to ſuch exemption. In one of them the right of taxing by parliament is reſerved in expreſs terms, and in others it is reſerved manifeſtly by implication, in as much as immunities from being taxed are granted for a limited term of years, in ſome longer, in others ſhorter.

But it is ridiculous to pretend an exemption from being taxed, whilſt they acknowledge, as they have always done till of late, the power of the Britiſh parliament to make laws on other articles which ſhall bind the colonies. Yet ſome are inconſiſtent enough to maintain, that our legiſlature has power to do the one, but not the other. I ſhould be glad to know on what the diſtinction is founded. Not on any poſitive convention, or on any act of the legiſlature aſſerting its right in the one caſe, and diſclaiming it in the other. It is not pretended. Is then the diſtinction one of thoſe which are founded in the nature of things? Impoſſible. What! Have we the command of their perſons, their liberties, their lives, but not of their purſes? May we declare what is criminal in them, what is not; and what crimes ſhall be puniſhed with impriſonment, what with exile, what with ſtripes, and what with death, but cannot affect a ſingle ſhilling of their coin? Is then the union between a man and his money more intimate than that between his ſoul and his body? One would be tempted to believe, that it had been in the head of ſome *Miſer*, whoſe *treaſure* is his *GOD*, that this abſurd conceit had firſt been gendered.

I own, I am exceedingly ſurpriſed at the inconſiſtency of thoſe men, in other reſpects not deficient in underſtanding, who maintain the legality of the *navigation act*, confining the trade of the plantations, and yet deny the legality of *taxing* them. The former is, in my opinion, in ſeveral reſpects, more exceptionable than the latter; and in ſome inſtances at leaſt, a hardſhip on them, without being an advantage to us. But pray, conſider, wherein lies the difference? We, by reſtraining part of their trade to ourſelves, may oblige them, in ſome inſtances, to ſell to us for ſixpence the pound, what, if the market were open, they would get ſevenpence for from others. Is not this preciſely the ſame as to them, as if we ſhould permit them to ſell where they pleaſe, and exact in name of duty a penny on the pound-weight? It is even worſe; for by confining the trade, the demand is leſſened, and conſequently a check is put on the induſtry that would be employed on that article.

But let it not be imagined, that all the reſtraints are laid on the coloniſts for *our* benefit, as has been moſt uncandidly pretended by ſome of the advocates on the other ſide. There are many reſtraints laid on us alſo by the legiſlature for *their* benefit. Perhaps it were better for both, that all ſuch acts were reviſed. Taxes, if impoſed with judgment, are generally leſs prejudicial than monopolies. But (whatever be in this) that the reſtrictions are reciprocal is manifeſt. In regard to ſome of their ſtaple commodities, we are, for their benefit, prohibited under ſevere penalties, to cultivate them in our own country; at the ſame

time that we are not allowed to purchase them from any other nation, tho' we should get them both cheaper and better. Drawbacks and bounties are given to our merchants on exporting hence American commodities imported. This is an advantage to the Americans, as by raising the demand and price, it encourages their cultivation and labour, and an advantage to our traders in such articles, whom it enables to deal more extensively, and undersell others, but to the nation in general a detriment rather than a profit, inasmuch as the nation must always, by some impost or other, compensate to the government the value of the bounty.

Indeed the more consistent patrons of the American cause, deny that the legislative power of the British senate can justly extend to the colonies in any thing. If ye ask them, Why? The answer is ready, 'Men 'cannot be bound by laws to which they have not 'given their *consent*.' This appears to them an *axiom* in politics, as clear as any in mathematics. And tho' for a first principle, it has been wonderfully late of being discovered, they are so confident of its self-evidence, that they never attempt to prove it; they rather treat with contempt every person who is so weak as to question it. These gentlemen however will excuse me, as I am not certain that I understand them, and am a little nice about first principles, when I ask, what is the precise meaning they affix to the term *consent*? For I am much afraid that if they had begun with borrowing from the mathematicians, the laudable practice of giving accurate *definitions* of their terms, and always adhering to those

definitions, we had never heard of many of their newfangled *axioms*.

It is certain that, in the common accepattion, *consent* denotes a declared concurrence in opinion in regard to any measure, or a joint approbation of that measure. In this sense of the word, a law is made by the consent of those only who voted for it. It may happen then, in the house of commons, when the house is thin, and a law passes by a small majority, that the *actual consenters* to the statute may be less than the *twentieth* part of the representatives of the people. [a] But to this I am quickly answered, that 'There is comprehended under the term, not only 'an *actual* and *explicit*, but a *virtual* and *implicit* 'consent. Now the minority of the members present, with all the absent, are conceived as virtually and implicitly, consenting to the deed of 'the majority of the members present.' Here then is an acceptation of the term obtruded upon us, ere we are aware, so very different from the former and ordinary acceptation, as to be in effect the reverse. Your *virtual and implicit consent* to a measure, may comprise, in some instances, what I should call an *actual and explicit dissent* from it, a disapprobation, or perhaps a declared abhorrence of it. Of this kind are many of the *virtual and implicit consents* given in both houses of parliament. The virtual consent of the electors, those against, as well as those for, each successful candidate, to all that shall

[a] The house of commons consists of 558 members. Of these, in all cases, except that of disputed elections, in which they act in a juridical, not in a legislative capacity, 40 make a house, whereof 21 the majority is not the 26th part of the whole number.

be enacted in parliament, either with, or against, the approbation of their member, is liable, if possible, still more glaringly, to the same objections. Could a man be said to speak English, at least could he be said to speak truth, who should affirm that the city-members and the members for Middlesex *consented* to the act for shutting up the port of Boston, the act for restraining the trade of the colonies to Great Britain and Ireland, and the Quebec act? If he could affirm this with truth and propriety, one cannot help concluding that it is shameless in any of those gentlemen, to raise so much clamour against acts to which they have given their *consent*. And if he could not affirm it, without exposing himself to be charged with telling an untruth; to what purpose is it, to employ in the very maxims on which ye found, terms in so vague and so elusive a manner, that on some occasions, their meaning is in effect the contrary of that which ye give them, on other occasions, and of that which they uniformly bear in common language? I know no purpose but one it can answer, a purpose it has often answered, a purpose it still but too well answers—to darken, to perplex, and to mislead.

When these people are pushed for an explanation, their *virtual* and *implied consent* dwindles to no more at last, than that by our constitution the minority are so far determined by the act of the majority, and those who have no voice in the election, as well as the electors, by the majority of the elected present at the passing of any act, as to be obliged to *submit* to it as the law of the land. This indeed is a language which I understand, but ye must observe that in this sense, it

may with equal truth be affirmed, that in the ariſtocratical ſtate of Venice, the people are bound by no laws but thoſe to which they have given their *conſent*; becauſe, by their conſtitution, the plebeians are determined by the deed of the patricians, and are therefore to be underſtood as *virtual* and *implicit* conſenters. Nay, ye may extend the maxim to the inhabitants of Turkey, who, by the conſtitution of their country, may with equal propriety be conſidered as *conſenting* to the declared will of the Grand Signior. The will of a majority from which I differ, is no more *my* will, their opinion which I diſbelieve is no more *my* opinion, than if they were the will and opinion of a ſingle perſon only. In this reſpect number makes no odds. And I can never, without a perverſion of ſpeech, be ſaid to be *ſelf-governed*, if my conduct muſt be regulated by the will and opinion of others, and not by my own.

The ſource of all the blundering ſo frequent on this ſubject, is the crude and contradictory conceit that government can be rendered compatible with perfect freedom. Nothing can be clearer than that the only man perfectly free, or ſelf-directed, whoſe will is in every thing his law, is *the ſavage*, a being that is independent of every body. The very baſis of political union is a partial ſacrifice of liberty for *protection*. The ſavage who firſt enters into this ſtate, muſt be ſenſible that he impairs his freedom, to encreaſe his ſecurity. He is willing to be, to a certain degree, dependent, and conſequently leſs his own maſter, that thereby he may enſure his life, his property, and even the exerciſe of his freedom,

ſo far as it remains unaffected by the laws of the community. This holds, tho' in different degrees, whatever be the form of government adopted, be it of *one*, of *a few*, or of *the many*. In each it is equally eſſential, that the will of the individual be controuled, (and what is this but the abridgment of his liberty?) in the firſt by the will of the *prince*, in the ſecond by that of the *nobles*, in the third by that of the *people* [a].

[a] There is a ſtrange inaccuracy in the manner of talking ſome have uſed on this ſubject. 'The ſtate,' ſay they, 'which 'is governed by its own will, that is, by the will of the 'majority of its members, is the only ſtate that can be 'called *free*, being under ſelf-government, and ſo its own 'legiſlator.' Be it ſo. But when, ere we are aware, ye ſlide in as identical, 'Every man in ſuch a ſtate is ſelf-'governed and his own legiſlator;' ye obtrude upon us a propoſition which, ſo far from coinciding, is inconſiſtent with the former. The individual in ſuch a community is, in every thing wherein the community interpoſes, governed not by his own will, but by theirs, by the will of the majority of his fellow-citizens, tho' diametrically oppoſite to that which his reaſon approves, and to which his diſpoſition inclines him. 'But he has a vote in public meaſures, and 'if he be of the majority, there is a coincidence of his 'will with that of the ſtate.' Undoubtedly. But then, if he be of the minority, is not his will in oppoſition to that of the ſtate? Yet in contradiction to his own, he muſt conform to the will of the ſtate, conſequently is not ſelf-governed, conſequently by your own explanations, is no *freeman*, but the ſlave of the ſtate. The ſtate is *free*, but he is a *ſlave*. Occaſional coincidences do not alter the caſe. The will of the deſpot may, in ſeveral inſtances, be coincident with that of his ſlave. The latter is not the leſs a ſlave in obeying him, tho' his yoke be the eaſier; for the con-

'Is there then no difference between one govern-
'ment and another, between what is thought the

currence is accidental. Ye insist that, 'By entering into 'such a polity, a man consents once for all to be governed 'by the will of the majority. The will of the majority 'therefore is properly thenceforth considered as *his*. If so, 'he is still free, and his own legislator, even when acting 'in opposition to his judgment and choice.' Do ye not perceive, that this reply, if it have any weight, affects only the founders of the republic, who enter personally into such engagements? But in fact it is a palpable sophism. A man is only so far free, as his actions are directed by what *is* his will, not by what *was* his will, by his *particular opinion* of the known case, not by a *general acquiescence* in he knew not what. By such an *acquiescence*, on the contrary, every body allows, that he *binds* himself. Now as far as he is *bound*, he is no longer *free*. A poor man in the time of famine, barters his liberty for bread, engaging his service for life to his rich neighbour. Such things have often happened. Now if one of our modern political philosophers seeing this man afterwards groaning under the drudgery and intolerable hardships of his condition, should, to comfort him, tell him in the pompous language of his party, that he is as free as his master, that he is self-governed, self-directed, and his own legislator; because the will to which he consented to subject himself, ought from that moment to be considered as *his own*; who, I pray, would not accuse a comforter of this stamp, of insulting the wretch's misery with the most inhuman mockery?

Once more, in your paragon of republics, every *man* of whatever quality, character, station, or circumstances, has an equal share in governing; because to exclude any *man* from this honour, which ye deem his birthright, and to enslave him, ye affirm are the same. It has been asked (but I have not yet heard of any answer) why not every *woman* and every *child*? How unworthily soever these are treated in other polities, we should not imagine that in your perfect model, where we are made to expect the very

'most despotic, and the freest?' There are many differences, but they result from principles totally distinct from those in which some modern political schemers affect to place them. One momentous difference is, when, by the constitution, the authority of *the laws* is paramount to that of any *persons*, however eminent in station. In this case the people are governed by established rules, which they know, or may know, if they will, and are not liable to be punished by their superiors, unless they transgress those rules. Such are properly under a *legal government*. When the reverse obtains, and men are liable to be harassed at the pleasure of their superiors, tho' guilty of no transgression of a known rule, they are under *arbitrary power*. Again, the government

elixir of freedom, the greater part of the species would be left in absolute thraldom. Is it the doctrine of these patrons of the natural rights of humanity, that *woman* is, and ought to be, doomed the irredeemable captive and *drudge* of that *lordly* creature, MAN? Is this her destiny even with the friends of freedom? There can be no doubt of it: For, if they will give her no suffrage in national councils, no voice in legislation, she is not governed by her own will, is not her own legislatrix, and therefore, by their fundamental axioms, has no liberty, but is the hopeless slave of those whose will she receives for law. I cannot help thinking this exclusion the more inexcusable, that their enlarged plan which admits all men without distinction of rank, education, or circumstances, could have sustained no conceivable injury, had they overlooked also the distinctions of age and sex. This would, without endangering their scheme in the least, have added to it more *liberality* as well as *uniformity*. Indeed to add to its absurdity and confusion, will be admitted by every cool and impartial inquirer, to be beyond the compass of possibility.

is not only denominated *legal* but *free*, where, from its ſtructure, there ariſes the higheſt probability, that the laws ſhall be, both equitable, and adapted to public utility. When poſitive ſtatutes coincide with the natural ſentiments of right and ideas of fitneſs, our minds ſo entirely approve them, that we do not conſider them as *reſtraints*, additional to thoſe to which our mental powers have ſubjected us. But when betwixt theſe, inſtead of coincidence, there is contrariety, the condition of the people is unnatural, and ſo far ſlaviſh as the laws prove a galling yoke, to which nothing but terror can ſecure obedience. In this reſpect the odds in forms of government is very great.

In regard to our own, *That* one of the eſſential branches of the legiſlature is elective, *that* its members muſt be men of ſuch rank and fortune as give them a perſonal intereſt in preſerving the conſtitution, and promoting the public good, *that* they are elected from all the different counties and boroughs in the iſland, by thoſe who have a principal concern both in agriculture and in trade, *that* they are but temporary legiſlators, and may ſoon be changed; *that* the laws they make for others muſt affect themſelves; *theſe* are the great bulwarks of BRITISH FREEDOM, as they afford the ſupreme council of the nation, the beſt opportunities of knowing, and the ſtrongeſt motives for enacting, what is moſt beneficial, not to *one* part of the country, or to *one* claſs of the inhabitants, but to *the whole*. And if ſo, the people will very rarely be laid under *hurtful*, and not often under *unreaſonable*, that is unneceſſary, *reſtraints*. The more this is the caſe with a people, the more

they enjoy of *civil liberty*, and the freer is their government.

Another important difference in political models, in respect of freedom, is, when the legislature is so constituted, as to secure alike against the tyranny of the *great*, and the madness of the *multitude*. The first of these is an invariable effect, in some degree, of absolute monarchy, and in the highest degree, of unlimited aristocracy, where the power is lodged in an hereditary nobility. The second is as invariably the consequence of pure democracy. The populace in every nation are, and must be, from the laborious and circumscribed way of life, to which necessity subjects them for subsistence, ignorant and credulous, an easy prey to ambitious, worthless, and designing men. And fatal experience evinces, that none can be more unjust and cruel, or more blind and precipitate than an incensed rabble. "Never is "human nature so debased," says a celebrated foreigner, "as when ignorance is armed with power[a]." The guard there is in the *British constitution*, against both extremes, is justly accounted its principal excellence. The only other difference I shall mention, is the security there is under some civil establishments, of *impartial judgment* to litigants, and a *fair trial* to those accused of crimes. Thereby the people are defended against encroachment and oppression both from neighbours and from rulers. These are the principal distinctions between *legal* and *arbitrary*, *free* and *slavish*, as applied to governments. These are in like manner real and weighty distinctions,

[a] Voltaire, Hist. Gen. Chap. 118.

very unlike the illusive dreams of our political castle-builders.

But if any where the idea of such a democracy wherein every member is his own lawgiver, is realized, it is, as has been justly observed by some writers, in the diets and dietines of Poland; for in the established *anarchy* of that country, every member, that is, every nobleman, for the commons are no better than slaves, has it in his power to stop the proceedings of the whole. The *real*, not the *nominal*, consent of every individual is there literally necessary. The consequence is, that no where, under sophi, mogul, or sultan, is there less order, less liberty, less security than there. Every man is at the mercy of every man. Every man has it in his power to do much and public mischief, not one to do any public and substantial good. Is then this chaotic jumble, for I can call it neither government nor constitution, the great idol of our modern republicans? I cannot allow myself to think so. But I am certain of one thing, that it is the only model which their fantastic maxims serve in any degree to justify.

I do not say that that model, bad as it is, is an exact representation of the modern political monster *self-legislation*, that it equals the extravagance implied in the definition given of a free or legal government, the only government, wherein the people are under an obligation in conscience to obey the magistrate. 'It 'is,' say they, 'a state wherein every man is govern-'ed by laws of his own making.' These are indeed fine words, and an admirable topic they furnish to popular declaimers. But if ye do not choose to be fascinated by unmeaning phrases, ye need only reflect, and

the charm diſſolves of itſelf. Who is ſo ignorant as to need to be told, that the ſyſtem of laws in every civilized nation, the *freeſt*, if ye will, in the univerſe, is the work of ages, and that no perſons living can, in any ſenſe, be ſaid to be the makers of them? Our *conſent* could have not been aſked to the making of laws, before we had an exiſtence; and it is no otherwiſe that we give it to them now, than as we give it to the laws of the univerſe, in accommodating ourſelves to them the beſt way we can. Nay, there are many of them which, tho' we ſubmit to them, we may diſapprove, and would alter, if we could. To ſay they are the work of our anceſtors, is nothing to the purpoſe. We are as diſtinct perſons from them, as from the people of France or of Egypt, and our inclinations and ſentiments may be as different from theirs, as from thoſe of any other nation whatever. And tho' it be true, that the preſent generation hath ſome ſhare in the buſineſs of lawmaking, as well as former generations, it is equally true, that in a ſtate conſiderably advanced in civilization, all the laws that can be made in the time of any one ſet of legiſlators, will ſcarcely be found to exceed the ten thouſandth part of the whole code.

But if, by all this parade of big words, no more is meant than the *acquieſcence*, which, from a principle both of public utility and of private, we give to the laws of our country, it might with equal truth be affirmed, that the laws of nature, whereby the heats in ſummer, and the ſtorms in winter, and the more temperate weather in ſpring and autumn are conducted, are of *our making*, becauſe we find it both our duty and our intereſt to acquieſce in them. Once

more, if all those glorious privileges so pompously displayed, sink, on the scrutiny, into a meer passive submission and *acquiescence*, and if this be the true basis of civil liberty, the inhabitants of Persia or of Japan, have more freedom than we Britons, as *their* acquiescence will be found much perfecter than *ours*. The less power the people have in matters of legislation and government, the more these matters will be considered by them as on a footing with the laws of the universe, and beyond their reach. On the contrary, the greater power they have, the more they will be accustomed to scrutinize public measures, and the more they will find themselves disposed to grumble.

I have already observed, that with those reasoners, whose sentiments on this subject I have been examining, no form of government, wherein their radical maxims have no place, can be called *just* or *legitimate*, or can lay a moral obligation on the people to obedience. 'Every other form,' say they, 'as it is founded in violence of one kind or other, 'so, when a proper opportunity offers, may justly be 'overturned by violence, nay, ought to be overturned, that room may be made for a free and 'rightful government, the only one that binds the 'conscience.' I should think that the bare mention of consequences so baneful to society, logically deducible from a set of principles, would startle the benevolent and judicious, and make them coolly reexamine the principles which lead to such conclusions, by whatever respectable names they come recommended. I know that some such paradoxes as I have been combating, have been adopted, or rather hastily thrown out in the heat of disputation, and

party-conflicts unfriendly to the discovery of truth, by writers whose fame, in other respects deservedly great, has drawn a veneration even for their *crudities*. But let us not be so much dazzled by any name, how illustrious soever, as to sacrifice to it the rights of truth and justice.

Consider, I pray you, is it credible, that in at least nineteen nations out of twenty now existing in the world (I admit, for argument's sake, that there are some which come within their description) the people are under no obligation to obey the ruling powers? Is there no right but that of the stronger subsisting among them? How does this doctrine quadrate with that of the New Testament? I hope I speak to the disciples of Christ, to those who believe the scriptures to be a revelation from God. If so, I perswade myself, my hearers will not be rash in admitting any theory which will not bear the test of Holy Writ. We have already tried those novel maxims of our modern republicans by the light of REASON; let us bring them also to the christian touchstone, the BIBLE. This is a field on which, as far as I have observed, the combatants have not yet entered. But surely, if we have not renounced the faith of Jesus, it is of the utmost consequence to us to know, how far any principles, however artfully inculcated, are conformable to the heavenly lessons transmitted from our Divine Master. Hear his faithful servant Paul, *Let every soul be subject to the higher powers; for there is no power but of God. The powers that be are ordained of God. Whosoever therefore resisteth the power, resisteth the ordinance of God. And they that resist, shall receive*

to themſelves damnation [a]. Can any thing be more explicit? By the moſt moderate interpretation this threatening muſt denote divine puniſhment either here or hereafter. No limitation is annexed, from which we can learn that the precept was meant to extend to the ſubjects of only one ſpecies of civil polity. Magiſtrates, on the contrary, are here denoted by terms of the moſt extenſive ſignification, that we may know that the intention was to comprehend thoſe under every conſtitution. They are *the higher*, or the ruling *powers*, and *the powers that be*, thoſe under the conduct of providence ſettled amongſt you, democratical or monarchical, hereditary or elective. And if we enquire, What were the powers actually in being at the time, to which the people were commanded to be ſubject? The anſwer is plain, They were the powers of the Roman government, not of the commonwealth, but of the empire, a new ſpecies of military monarchy, elective indeed, but not by the people either collectively or repreſentatively, irregular, arbitrary, and ſuch as ſuited not in any reſpect what modern theoriſts call *a juſt and legitimate government*.

In regard to tribute, the point ſo hotly agitated with us at preſent, nothing can be more expreſs. *Render to all their dues, tribute to whom tribute is due, cuſtom to whom cuſtom, fear to whom fear, honour to whom honour* [b]. What ſhall we ſay to this paſſage, if all cuſtom and tribute are naturally and eſſentially, *free gifts* on the part of the people, and if conſequently no tribute or cuſtom could be due to any

[a] Rom. xiii. 1, 2. [b] ver. 7.

man to whom they had not previouſly, either perſonally, or by their repreſentatives, freely given and granted it? But with this doctrine, it ſeems the apoſtle was utterly unacquainted.

The Jews indeed had a ſyſtem of their own with regard to taxing, quite different from the American ſyſtem, (of which they certainly had no conception) but plainly pointing to the ſame object, an *exemption*. Their doctrine was, that 'God's elect people, 'the holy nation, the deſcendants of the patriarchs, 'were not taxable by idolaters ſuch as the Romans, 'uncircumciſed and profane.' This was the grand topic of declamation of *their* patriots; for *they* too had their patriots. Their objection, as it had ſome colour from the Old Teſtament, could not fail to appear plauſible to a people with whoſe prejudices, pride, and ſelfiſhneſs it perfectly coincided. But did our Saviour, when conſulted by them, give his ſanction to their ſentiments? Did he by his anſwer court popularity, and the fame of *patriotiſm?* I uſe the term in its modern degradation. Quite the reverſe. Though, by his manner of anſwering, he eluded the malice his enemies ſhowed in putting the queſtion, nothing can be more deciſive than his reply. After aſking them to ſhow him the tribute-money, and being told that it bore Ceſar's image and ſuperſcription, he immediately rejoined, *Render therefore to Ceſar the things which are Ceſar's, and to God the things which are God's* [a], plainly intimating, that as they derived the advantages of protection and civil order from the Roman government, of which the currency of its coin was an evidence,

[a] Mat. xxii. 21.

they ought not to refuſe contributing to its ſupport. Yet it is certain, that to any tax exacted by the Romans, the conſent of no Jew was ever aſked. Is it ſo then, that this original, this unalienable, this indefeiſible right, to which, in the turgid dialect of America, *the laws of nature and of nature's God* entitle every man, that no part of his property can be alienated without his conſent, was totally unknown to our Lord and his apoſtles [b]? Did *they* not

[b] It is indeed ſcarcely credible that any who entail ſlavery on their fellow-creatures, whom they buy and ſell like cattle in the market (and ſome ſuch, it is ſaid, are in the *congreſs*) ſhould have the abſurd effrontery to adopt this language. If they really believe their own doctrine, what opinion muſt they entertain of themſelves, who can haughtily trample on what they acknowledge to be the unalienable rights of mankind? Will they dare to elude this charge, by declaring that they do not conſider *negroes* and *Indians* as of the human ſpecies? That they account them beaſts, or rather worſe, one would naturally infer from the treatment they too commonly give them. But I have not yet heard, that they openly profeſs this opinion. How well does their conduct verify what has been remarked with great juſtice of all thoſe republican levellers, who raiſe a clamour about *the natural equality of men*, and *their indefeiſible rights*; that they mean only to level all diſtinctions above them, and pull down their ſuperiors, at the ſame time that they tyrannize over their inferiors, and widen, as much as poſſible, the diſtance between themſelves and thoſe below them. Indeed this character, if I underſtand him right, is given to the ſouthern provinces, particularly Virginia and the Carolinas by their celebrated patron Mr Burke. [See his ſpeech March, 1775.] Nay, *the haughtineſs of domination*, as he expreſſeth it, exerciſed over the wretches in their power, is by the MAGIC of his eloquence, converted into an argument with their ſuperiors, the Britiſh legiſlature, to treat theſe petty

discover what is clear as demonstration to all our *western brethren*, that without such consent, by whatever law or statute the tax was imposed, it could be no better than *statutable plunder* [a]? Or knowing it, did they dissemble the matter, take the aid of equivocation, that they might conceal it from the people, and court the favour of the great? Will any christian affirm this; and not rather, that, if they had known of such a right, they would have furnished their countrymen with this additional argument in support of their plea; instructing them better in the prerogatives of the species, which were not the less theirs, because they were so stupid as not to find them out?

Further, did the first publishers of the gospel never reflect that Judea was one country and Italy another, that the Jews and the Romans were two very distant peoples, different in origin, manners, laws, and language, and of religions opposite in every article and incompatible? The argument would have been incomparably stronger in their case than it is in our present contest, which admits only the plea of distance.

Has Paul in particular acted the politician in this affair? Has he shrewdly given an ambiguous order to pay tribute to whom tribute is due, that on the one

tyrants with greater lenity than would be proper towards persons more humble and humane. An ordinary genius would have deduced the opposite conclusion; for if any people deserve to *have judgment without mercy*, it is they *who show no mercy*. I do not say however, that this ought to be our rule of dealing with them. 'Let mercy, tho' unmeri-' ted, still triumph over judgment.'

[a] A favourite phrase of the Congress.

hand, he might appear a dutiful ſubject to the pagan magiſtrate, and on the other, might ſuggeſt to chriſtians an excellent pretence for eluding the obligation, by maintaining that there is none to whom tribute is due? Far be ſuch vile artifices, the diſgrace even of Jeſuits, from the ſelect miſſionaries of THE TRUE AND FAITHFUL WITNESS. Far be ſuch execrable caſuiſtry from being charged on the *word* of GOD, the ORACLE of *truth*. Indeed if the whole paſſage is attended to, we ſhall find that the apoſtle has left no ſcope for this poor ſubterfuge. *For this cauſe*, ſays he, *pay ye tribute alſo, for they are God's miniſters attending continually on this very thing*. He does not heſitate to aſcribe to them a divine commiſſion, in the character even of *taxers*. Now nothing is more certain than that in the Roman empire in thoſe days, the people, throughout the provinces, were aſſeſſed either by the imperial authority, or by the ſenate; and had no ſhare, either perſonally, or by repreſentatives, in aſſeſſing themſelves. For the ſenate was not choſen by the people. I intreat you, my brethren, for the ſake of *truth*, for the ſake of *that worthy name by which ye are called*, for the ſake of *your own ſouls*, and thoſe of *your fellow-chriſtians*, to compare impartially the language of our Lord and his apoſtles with that of our modern demagogues: and from the difference ye find in them, judge of the different ſpirit which they breathe. Not a ſingle hint do we get from thoſe, that 'taxation 'and repreſentation are inſeparable;' no ſuggeſtion that for 'chriſtians tamely to ſubmit in an article of 'this nature would be to ſacrifice their liberties, to 'be loſt to every ſenſe of virtue, to ſell themſelves and

'their posterity to perpetual servitude.' Let those do it who can; I own it is impossible for me to reconcile this language with that of the gospel [a].

[a] Nothing has astonished me more in the course of this controversy, than to observe that some learned men on the opposite side should imagine, that they can conciliate their favourite maxims with the precepts of the gospel. One in particular, of whose abilities and piety I have a very great opinion, and to whose sentiments I have in this discourse frequently alluded, has (I am convinced very sincerely) bestowed the highest encomiums on christianity as the perfection of religion and of reason. But truth compels me to remark, that, if the principles of his party be well-founded, those encomiums are exceedingly misplaced; their system not having a greater enemy on earth than the gospel. Once admit their notions of the *only just and legitimate government*; and ye transform the publishers of our religion into preachers of slavery, both internal and external. To inculcate on the Romans, obedience to rulers on whom they had no check, and submission to edicts in the framing of which they had no share, directly or indirectly; what was it, on the system of our American advocates, if it was not preaching up *internal slavery* which subjects the community to the will of a part? And in regard to other nations as Jews and Greeks, to command them to obey the emperor, and magistrates deputed by him; what was it, less than preaching up *external slavery* which subjects nations to a distant and foreign power? As to this sort, we are not left to infer it. We are told plainly, "Such was the slavery of the provinces subject to "ancient Rome." How unreasonable and injurious then was it to be an advocate for such a power, to attempt to reconcile men to it, by maintaining that resistance will expose them to divine vengeance? Yet on the principles of our adversaries, thus unreasonable and thus injurious (there is no dissembling it) were Jesus Christ and his apostles Peter and Paul. Jesus Christ to his countrymen in Judea, Peter to the Jews in dispersion, and Paul to the Cretans, on whom he strictly enjoined Titus to inculcate those enslaving doc-

So ſtrong did the argument from the words of Paul appear againſt the papal uſurpations on the ſecular

trines. And if to make no difference in enforcing obedience on thoſe *within*, and thoſe *without*, that community which might be ſtrictly denominated ROMAN; if, without ſuggeſting any diſtinction, to employ the ſame ſanctions, the divine favour and the divine diſpleaſure, with them both, be to maintain, that reſiſtance is *no leſs criminal* in the one caſe than in the other; and if to maintain this, be, as has been affirmed, to *inſult* thoſe to whom this language is addreſſed, I do not ſee in what manner our antagoniſts will clear our Lord and his apoſtles from this ugly imputation ——' But ' has nothing been alleged from ſcripture on the other ſide?' It is true that, a few paſſages which, as appears from the expreſſions employed and from the context, relate ſolely to the ſpiritual kingdom of the Meſſiah, and the means whereby it ought to be promoted and ſupported, have moſt unnaturally been forced into the ſervice of political projectors. Yet nothing can be clearer, than that the intention of thoſe places, ſo far from being to preſcribe a model to worldly polities, was to contradiſtinguiſh the *church*, a heavenly polity, to all of them. They do not therefore invalidate the methods proper to be uſed in theſe; but expreſsly prohibit the chriſtian paſtors from admitting thoſe methods into the ſervice of religion. However much therefore thoſe inſtructions may militate againſt the erection of a ſpiritual tyranny, or *Hierarchy* like the Romiſh, they nowiſe affect the ſecular power. This, with its various arrangements and offices, tho' of a different nature, operating by different means, and to a different end, ſo far from being ſuperſeded by the other, is declared alſo to be *the ordinance of God*, and neceſſary to human ſociety in its preſent corrupt ſtate. It happens unluckily for our opponents, that as monarchy was the eſtabliſhed power in the time of our Lord and his apoſtles, when theſe in their injunctions, deſcend to particulars, they always ſpecify the ſubordinations of kingly government. In ſhort, the argument from ſcripture, in every view I take of it, appears ſo full, ſo explicit, ſo deciſive, that I could undertake to demonſtrate that the diſſolute

powers; for if every ſoul muſt be ſubject to them, (and it was to the Romans the words were addreſſed) the biſhop or pope can plead no exemption, (ſo ſtrong, I ſay, did this argument appear) that ſome of the canoniſts could conceive no way of eluding it, but by maintaining that all ſuch injunctions are merely *prudential advices*; that as the chriſtians were then the weaker party, who, if they had not paid willingly, would have been compelled, and might have ſuffered in other reſpects, the apoſtle thought it adviſeable for them to comply, ſince they could not make their condition better by a refuſal. Thoſe precepts then are to be viewed in the ſame light as we ſhould view the counſel of a friend, who, when we were ſetting out on a journey, ſhould warn us, that if we meet with highwaymen on the road, we ought to give them our money rather than endanger our lives. A curious turn, I muſt acknowledge, to the dictates of inſpiration.

At the ſame time I do but juſtice to thoſe caſuiſts when I confeſs, that I have not heard any thing ſo ſpecious, for obviating ſo ſtrong an argument from ſcripture, advanced by any of our champions on the ſide of the American revolt. For this reaſon I ſhall ſuppoſe that ſuch of them as think the doctrine of the bible of any conſequence in the debate, ſatisfy their conſciences with the gloſs above-mentioned. Be it then, that there is no right in any government not

and execrable leſſons of a late father to his ſon, on the ſubject of *adultery* and *diſſimulation*, are not more irreconcilable to the pure morals of chriſtianity, than the libertine and hardly leſs pernicious maxims, tho' ſuſceptible of a more ſpecious colouring, of ſome democratical declaimers.

eſtabliſhed and upheld by univerſal conſent, but the freebooter's right, the right of the ſtronger: that there is no law in ſuch, but club-law; that there is no motive to ſubmiſſion, but that which ought to influence us, in caſe we were encountred by pirates, robbers, or ruffians of whatever denomination; that there is no difference between theſe and civil rulers, but ſuch as obtains between leſs and greater villains, not a difference in kind, but in degree. On this hypotheſis, if the apoſtle had been adviſing chriſtians, as to the conduct they ſhould maintain in caſe of being attacked by robbers, his ſtyle and reaſoning ought to have been the ſame. But will any chriſtian, will even a candid infidel, who has read the apoſtle's writings, affirm that he would have uſed the ſame arguments? Would his reaſon for their compliance have been, 'that robbery is of *God?* that the high-'wayman is his *miniſter* for their good, expreſsly '*commiſſioned* to rob on the highway? that reſiſting 'him is reſiſting *God's ordinance*, and the ſure way 'of incurring the divine vengeance?' or, Could this have been called arguing on the merely prudential conſideration of not idly oppoſing a ſuperior force? Barely to unfold what is implied in ſome opinions is a ſufficient refutation. But what can more explicitly exclude this abſurd, not to ſay blaſphemous cavil, than what follows, *Be ye ſubject alſo not only for wrath, but for conſcience ſake;* not only from fear of wrath, the puniſhment that may be inflicted by the offended magiſtrate, but (even if that could be eluded) act thus from a principle of duty towards God, who requires it of you.

A celebrated foreigner, a republican too of the

new model, whose understanding, tho' very acute, has, in several instances, proved the dupe of a warm imagination and strong passions, intoxicated with the chimerical maxims I have already considered, has, with infinite labour, chalked out the plan of a democracy perfectly Utopian, such as never was, and never will be, brought into effect. This man, tho' a professed admirer of the gospel, and at times, he would make us think, a believer, had too much discernment not to discover, and too much candour not to acknowledge, that it is impossible to reconcile christianity with the idol of a republic which he had reared up. I am surprised that none of the *worshipers* of this *IDOL* in our island seems to have attended to this remark [a]. As little have they attended to another of the same author, that it is only in a very small city that his scheme is practicable [b]. I am not so much astonished that they have not discovered, what to me is equally plain, that *common sense* (with which I could never find the gospel at variance in any thing) is not less its foe than christianity.

That our religion strongly inculcates the duty of subjects to the magistrate (which this philosopher calls being favourable to tyranny) is undeniable. It gives no preference to one form of government above another; it does not enter into the question, but it is friendly to order and to the public peace, which it will not permit us rashly to infringe; it teaches us to respect the dispensations of providence, and to seek the good of the society whereof we are members. The ancient landmarks of the constitution it forbids us

[a] Rousseau Du contrat social Liv. iv. chap. viii. [b] Liv. iii. chap. xv.

to remove, in the presumptuous hope that we shall place them anew better than our fathers have done. Nay more, it unites in such a manner our allegiance to the sovereign and loyalty to the constitution of our country, with piety towards God, as shows that there is an intimate connection between these duties. *Fear the Lord and the king*, says Solomon, *and meddle not with them that are given to change.* To the same purpose Peter, *Fear God, honour the King*[c]. And in the words I have often referred to from Paul, the duty is all along enforced from a principle of reverence to God. At the same time it does not preclude the constitutional support of any civil right. Paul, tho' as sensible as any man, of the shortness of life, and of the smallness of its value, compared with eternity, did not disdain oftener than once to assert his right as a denizen of Rome, happily joining the spirit of the Roman with the moderation of the Christian[d]. And in the former part of this discourse, I have shown, I hope, with sufficient evidence, that none of the expressions recommending the duty of allegiance, if candidly interpreted by the same rules which are admitted in interpreting other precepts similarly expressed, can be understood to exclude an exception in cases of extreme necessity. It was also observed, that in the general terms employed in scripture, there is manifestly included the *whole* of the civil constitution. And the whole is more to be regarded than a *part*. Even the royal power, however considerable, is still, in respect of the constitution, but a part.

In regard to the present quarrel, it may justly be said that it is *the whole* that is attacked. Indeed the

[c] 1 Pet. ii. 17. [d] Acts xvi. 37. xxii. 25.

ringleaders of the American revolt, the members of their congreſs, have, in their laſt declaration, pointed all their malice againſt the King, as tho', in conſequence of a ſettled plan, he had been adopting and purſuing tyrannical meaſures, in order to render himſelf abſolute. They have accordingly ſpared no abuſe, no inſult, by which they could inflame the minds of an unhappy and deluded people. Their expreſſions are ſuch as decency forbids me to repeat. The *means* they employ are indeed of a colour with the *end* they purſue. But let thoſe who can lay claim to any impartiality or candour, but reflect, and ſay, in what ſingle inſtance our benign *ſovereign* has adopted any meaſure, but by the advice of the Britiſh *legiſlature*, or purſued a ſeparate intereſt from that of the Britiſh *nation*. It is ſolely concerning the ſupremacy of the *parliament*, the legiſlative body of Great Britain, and not concerning the prerogatives of the *crown*, that we are now contending. And ought not this circumſtance to enhance our obligation to concur with alacrity, as far as our influence will extend, in ſtrengthening the hands of the government, now laid under a neceſſity of ſeeking by arms to bring back to their duty, thoſe inſolent and rebellious ſubjects?

I am unwilling to quit the argument, without taking notice of every plea that may ſeem to be of weight on the other ſide of the queſtion. Some of the more moderate advocates for theſe people will plead, that, without recurring to any democratical and newfangled principles, or to the footing on which the coloniſts themſelves, and ſome of their moſt ſanguine champions in this country think proper to place their defence, theſe few queſtions for clearing the point, may

pertinently be asked. First, 'Whether, or not have 'the British Americans a civil and constitutional 'right (let the terms *natural* and *unalienable*, with 'the other *nonsense* employed for taking in the rabble, 'be exploded) to all the privileges of British sub-'jects?' Secondly, 'Is it not a distinguishing privi-'lege of British subjects, that they are not taxable 'but by their representatives?' And thirdly, 'If 'this be the case, can the Americans be regularly or 'justly taxed by a parliament in which they have no 'representatives?'

In answer to the first question, It is admitted they are entitled to all the privileges of British subjects. In answer to the second, If the members of the house of commons, are, as the objector surely means to signify, the representatives only of those by whom they are elected, it is not the privilege of all British subjects, that they are not taxable but by their representatives. This is the privilege of those only who are in a certain way qualified. It is not above one in twenty of the people of England, or above one in a hundred of the people of Scotland, who have a voice in the election of members of parliament. But if the members represent also those who are not their electors, and have no power, no influence whatever, in electing them, it will be impossible to assign a good reason why they may not be denominated the representatives of all the subjects in America, as well as in Britain. This leads directly to the answer to the third question. If, as has been computed, there be at least between six and seven millions of people in Great Britain, who are taxed by a parliament in which they are not represented, it can be deemed neither unreasonable

not unconſtitutional that there ſhould be about two millions in America in the ſame ſituation.

It would be uncandid not to admit that there is ſome difference in the caſes. The members of the houſe of commons, in almoſt every tax (for there are ſome exceptions [a]) they lay on their Britiſh fellow-ſubjects, tax themſelves in proportion. The caſe is different in regard to their fellow-ſubjects in America. But this is an inequality that neceſſarily reſults from the difference of ſituation, and is beſides, more than counterbalanced by ſome motives and difficulties that will ever effectually prevent the legiſlature from going the ſame lengths in taxing the American ſubjects which it may ſafely go in taxing Britons.

But it is notorious, that the former have declared againſt every method that has yet been deviſed for removing this capital objection, the only one of conſequence in the cauſe. The ſimpleſt method would doubtleſs be, to allow them a certain number of repreſentatives in the houſe of commons. Againſt this propoſal they have always loudly and vehemently exclaimed. Do they favour, what has alſo been ſuggeſted in this controverſy, that a particular and moderate rate ſhould be fixed, according to which the ſubſidies levied from them ſhould uniformly bear a certain proportion to thoſe levied from Great Britain? To this they have given no better reception than

[a] The following, and perhaps ſome more, may be regarded as exceptions. The act eſtabliſhing the poſt-office; from this tax the privilege of franking exempts all members of parliament. The act impoſing a tax on ſeamen for the ſupport of Greenwich hoſpital. The act for laying an exciſe on ale and beer brewed for ſale.

than to the other. Yet this would effectually remove the grand difficulty, that the parliament by loading the Americans would eaſe themſelves. In this caſe, on the contrary, no burden could be brought on them, but when a proportionably greater is laid on the Britiſh ſubject. Have they then propoſed any method themſelves for removing this obſtacle, this great ſtumbling-block? Nothing that I know of, but a total *immunity*, or what is equivalent, to be leſt to do as they pleaſe. This and only this will content them.

Will any conſiderate perſon ſay, that this is a reaſonable motion on their part? Nothing can be leſs ſo. The colonies indeed, by their own provincial aſſemblies, have been in the practice of raiſing a ſmall part, and but a ſmall part, of what is neceſſary for the internal adminiſtration of juſtice and the goverment of the colony. But in this way they have not hitherto raiſed money for defraying the more public and unavoidable expences of the government in the protection of the whole. Nor indeed is this an adequate method of doing it, conſidering the independency of the provinces on one another, conſidering the difficulty of adjuſtment, when every one of ſo many is left entirely to itſelf, conſidering too the natural ſelfiſhneſs of men, which leads them to ſhift the burden, as much as poſſible, off themſelves, and throw it upon their neighbours. In the two laſt wars, which were entered into ſolely for the defence of the colonies, and in conſequence of the clamour raiſed by them and their agents in this country, this nation was involved in more than ſeventy millions of debt. And of this enormous ſum they have not agreed, nor will agree, to any rule, by which a certain contingent,

however low, may be aſcertained as what ought to be levied from them.

Shall I give you the ſum of all their propoſals to their Britiſh fellow-ſubjects, before they formally renounced their allegiance? I ſhall doubtleſs be accuſed of treating with ridicule a very ſerious buſineſs. But let it be obſerved, that when people are abſurd in their propoſitions and demands, the naked truth makes their conduct ridiculous. That it does ſo, can reflect only on themſelves; ſince to expoſe their abſurdity is the inevitable conſequence of a juſt repreſentation. I am not ſenſible that in the following account, the real purport of their overtures and pretenſions are, in any reſpect, miſrepreſented, or even heightened. What they claim, and what they offer, appear to amount to no more than this. ‘ We will do your king the honour to acknowledge ‘ him for our king; we will never refuſe to pay him ‘ that *compliment*, provided no more than compliment ‘ is underſtood by it. Judicial proceedings ſhall be in ‘ his name, and *his name* (which will ſerve as well as ‘ any other name) ſhall ſtand at the head of our pro- ‘ clamations. Nay, he ſhall nominate to certain of- ‘ fices amongſt us, provided it be in our power to ‘ feed or ſtarve the officers, or at leaſt to permit ‘ them to act, or tie up their hands, as we happen ‘ to like or diſlike their conduct. Tho' we are not ‘ ſatisfied with the reaſonableneſs of the thing, we ‘ ſhall, for the preſent, ſubmit to the reſtraints laid ‘ on our trade by the act of navigation, provided we ‘ have none of your military to guard the execution of that act; and provided further, that when any

'of our merchants are accuſed of ſmuggling, their 'cauſe be tried by a jury of *ſmugglers*; or if any of 'our people be charged with ſedition and riot, they 'be tried by a jury of the *mob*; for this, we think, is 'in the true ſpirit of trial by jury, which is, that a 'man be tried by his *peers*. We do not mean, how-'ever, that this privilege ſhall extend in the ſame 'manner to your *cuſtom-houſe officers*, and other de-'pendants of the crown, who, if they ſhould be ſent 'hither, and be accuſed of any crime, ſhall be tried 'by a jury too, not indeed of cuſtom-houſe officers, 'but of our *liberty-men*, that is our rioters and con-'traband traders, with their patrons and abettors.' And who can doubt that they are fit depoſitaries of the lives and properties of revenue-officers and ſol-diers? 'We will not be ſo diſreſpectful (however 'little we value it) as to decline participating in all 'the privileges of *Britiſh* ſubjects, inheritance, ſuc-'ceſſion, offices, honours and dignities amongſt you, 'equally with the *natives* of Great Britain. Further, 'we will allow your nation the honour not only of 'being at the principal charge in ſupporting the 'internal government of our provinces, but alſo of 'protecting us, at your own expence, defenſively and 'offenſively, againſt all our enemies, real or imagi-'nary, by ſea and land, whenever we ſhall think 'proper to raiſe a clamour; and we will in return 'agree to give you'—How much?—'Juſt *whatever* '*we pleaſe*, and, if we pleaſe, *nothing at all*.' A moſt extraordinary covenant, wherein all the obli-gations are on one ſide, and every thing is diſcre tionary on the other.

Is this the manner in which individuals, or even

private companies, contract with one another! Yet there are no doubt many individuals, and perhaps some private companies, in whom it might be safe to repose so implicit a confidence. But to recommend to the people of one nation to take this method in treating with those of another, can scarcely be viewed otherwise than as an insult to their understandings. I may add, that of all nations the last in whom we could with safety place so great a trust is the North Americans, if the unamiable portrait, which I am strongly inclned to think exaggerated, but which one of their warmest friends and ablest advocates has drawn of them, is a just representation of the original, and if they are such *a proud, fierce, jealous, restive, untractable, suspicious, litigious, chicaning race of pettifoggers*, as he seems to exhibit them[a]; and I may add, if they are as grossly insincere and false, as the conduct of their worthy representatives, the *congress*, exhibits them to every one who will take the trouble to compare what they say of the article of religion in the Quebec act, in their Application to the people of Great Britain, with what they say of the same article, in their Address to the people of Canada. Their duplicity in this particular and in some others, has proved matter of confusion to such of their partisans in this country, as have a regard to truth and candour[b]. Certain it

[a] Mr Burke's speech, March 22d 1775.

[b] In their Application to the people of this island, they say, "We think the legislature of Great Britain is not authorized "by the constitution, to establish a religion fraught with "sanguinary and impious tenets." Again. "Nor can "we suppress our astonishment, that a British parliamen-

is, however, that their terms of reconciliation, if they can be called *terms*, where all the conceſſions are

" ſhould ever conſent to eſtabliſh in that country [Canada] " a religion that has deluged your iſland in blood, and diſ- " perſed *impiety*, *bigotry*, *perſecution*, *murder*, and *rebellion*, " thro' every part of the world." REBELLION too in this black catalogue. O the ſanctimonious aſſurance of ſome men!

Quis tulerit GRACCHOS de *ſeditione* querentes?

In their Addreſs to the inhabitants of the province of Quebec, after enumerating the rights which they affirm the Canadians ought to poſſeſs, they add, " And what is of- " fered to you by the late act of parliament in their place? " Liberty of conſcience in your religion? No: God gave it " to you; and the temporal powers with which you have " been, and are connected, firmly ſtipulated for your en- " joyment of it. If laws divine and human could ſecure " it againſt the deſpotic rapacity of wicked men, it was " ſecured before;" that is, when the city and province were ſurrendered, on capitulation, to his Britannic Majeſty. Thus what in the former Addreſs, we are told *the legiſlature of Great Britain is not authorized by the conſtitution to do*, we learn from the latter, is no more than confirming a right to which the laws of God and the faith of contracts entitled that people; and which therefore it would have been both impious and treacherous in this nation to infringe. Nay what is, if poſſible, more ſurprizing, we learn hence that the Britiſh parliament, inſtead of doing too much for the eſtabliſhment of the Romiſh religion in that region, has done too little. The congreſs is kind enough therefore, to give them notice of this, and to warn them that by the *act*, all their rights civil and religious " are ſubject to arbitrary alterations by " the governour and council; and power is expreſsly re- " ſerved, of appointing ſuch courts of criminal, civil, and " eccleſiaſtical juriſdiction as ſhall be thought proper." They add, " Such is the precarious tenure of *meer will* by which " you hold your lives and RELIGION." What a fine topic for declamation in abuſing the Britiſh legiſlature theſe orators would have had, if the Roman catholic religion had

exacted from one ſide, and nothing engaged for on the other, are, on every principle of common ſenſe,

not been eſtabliſhed in Canada! With what avidity would theſe zealous proteſtants have laid hold on this circumſtance; with what triumph would they have expatiated on it, in order to inflame the minds of the popiſh Canadians! As to that religion itſelf, which they had repreſented in their Application to the people of Britain as the moſt frightful monſter, it appears in their Addreſs to the inhabitants of the province of Quebec, the moſt harmleſs thing in nature. "We are too well acquainted," mark the meanneſs of theſe flatterers, "with the liberality of ſentiment diſtinguiſhing "your nation, to imagine that difference of religion will "prejudice you againſt a hearty amity with us. You know "that the tranſcendent nature of freedom elevates thoſe who "unite in the cauſe, above all ſuch low-minded infirmities. "The Swiſs cantons furniſh a memorable proof of this truth. "Their union is compoſed of Catholic and Proteſtant ſtates, "living in the utmoſt concord and peace with one another, "and thereby enabled, ever ſince they bravely vindicated "their freedom, to defy and defeat every tyrant that has "invaded them." Really, Gentlemen, this is too much. For tho' ſuch profound politicians, engaged in ſuch immenſe undertakings, may find it quite neceſſary to diſpenſe with the rigid rules of *common honeſty*, it would be proper to do it more *covertly*. Some ſemblance of that antiquated and cumberſome virtue, has always hitherto been judged convenient, even for the greateſt Machiavels in politics. Your *barefaced* manner may create a ſuſpicion of a defect of another ſort, a defect of *common ſenſe*. And it is to be feared that this imputation will do you more hurt than the other.

It would not, however, be equitable to form a judgment of the *people* from the conduct of theſe *truſtees*. When we conſider the turbulence of the times wherein the members of the Congreſs were elected, the factious ſpirit that had diffuſed itſelf, and the ſeditious projects that were hatching, we have reaſon to believe, that few men of candour and moderation, of equity and good ſenſe, would ſtand forth

utterly unworthy of regard. Better far to let them have their beloved independence. I am not ſure that this would not have been the beſt meaſure from the beginning[a]. I ſay this however with all due ſubmiſſion and deference, for I am far from conſidering myſelf as a proper judge in ſo nice a queſtion.

WHAT then is the concluſion of the whole? It is preciſely that we follow the admonition of the wiſe man, with which we began, that we *fear the Lord and the king, and meddle not with them that are given to change.* Whilſt we ſincerely repent of the miſimprovement of former mercies, which have provoked heaven againſt us, let us act *as free, yet not uſing* our *liberty for a cloke of malicioufneſs*, a practice too common in theſe days, *but as the ſervants of God;* entertaining a proper deteſtation of that modern political hypocriſy, which under the diſguiſe of *patriotiſm* (a name once reſpectable, now brought into diſgrace by frequent miſapplication) attempts to ſcreen the worſt deſigns and moſt pernicious practices. Let us often reflect that it is no new thing to find men who *promiſe liberty* to others, *while they themſelves are the ſervants of corruption*[b],

candidates for the office. And if, by any chance, there were ſome ſuch among them, there is little ground to think, that, during the general ferment, they would be honoured with the popular ſuffrage. The wiſeſt and the beſt, we may juſtly conclude, have withdrawn from their elections altogether. And what the natural conſequence would be, is very evident.

[a] Dr Tucker has advanced ſome very plauſible arguments in ſupport of this meaſure. See his Tracts.

[b] 2 Pet. ii. 19.

Such there were in the days of the apoſtles. Of ſuch, Peter in particular warns chriſtians to beware. The deſcription he gives of them bears too ſtriking a reſemblance, in many principal features, to the factious and diſaffected of our own time, not to deſerve our moſt ſerious attention. Like ſome of our American orators and popular tribunes, they delighted in a boaſtful, tumid, and bombaſtic diction. They ſpoke GREAT SWELLING *words of vanity* [c]. They *deſpiſed government*, were *preſumptuous*, *ſelf-willed*, *and not afraid to ſpeak evil of dignities* [d].

In regard to the body of the people, our deluded fellow-ſubjects on the other ſide of the Atlantic, let us conſider them as objects of our pity more than of our indignation. In behalf of the mere populace, the unthinking multitude, it may with truth be pleaded almoſt in every inſurrection, that their ignorance is their apology. *They know not what they do.* They are but the tools of a few aſpiring, intereſted, and deſigning men, both on their ſide of the water, and on ours. Already, alas! they have ſeverely felt the effects of their folly. Let us ardently pray to the Father of lights and of mercy, that he would open the *eyes* of the people, and turn the *hearts* of their leaders. Too long already have they been wandering in the dark, not knowing whither. Pretending to purſue liberty, they have turned their back upon it, they have fled from it. Seeking to avoid ſlavery, they have plunged headlong into it! May GOD who *ruleth the raging of the ſea*, and *ſtilleth the noiſe of the waves*, *ſtill the tumults of the people!* May he ſoon reſtore them to their ſenſes, for their ſakes and ours!

[c] 2 Pet. ii. 18. [d] 10.

It is neither our duty nor our intereſt to wiſh them, or any part of the Britiſh dominions, in a ſtate of ſervitude, but we ought to wiſh and pray, that all our preſent differences may be compoſed in ſuch a manner, as, by providing againſt the like diſturbances in time to come, may effectually ſecure a laſting peace. This is not more for *our* benefit than it is for *theirs*. And indeed the intereſt of both, if rightly underſtood, will be found to be the ſame. The radical evil in their governments ſeems to have been, even in the judgment of ſome of their friends [a], that the conſtituent members of their ſtates were not equally balanced; the republican part was more than a counterpoize to both the reſt. This to ſuperficial thinkers (who conceive democracy and freedom as ſynonymous) is regarded as ſo much gained to the ſide of liberty. There is not a more egregious error. The effect is indeed conſtantly an increaſe of licentiouſneſs; than which no kind of tyranny is a greater enemy to rational and civil liberty. If recourſe is had to matter of fact, I am perſwaded thoſe colonial governments will be found to have been the moſt turbulent, the moſt unhappy, the moſt licentious, I will add, the moſt intolerant, and ſuch as by conſequence gave the leaſt ſecurity to the liberty and property of individuals, wherein the exceſs of power on the democratical ſide has been the greateſt. May God, who bringeth light out of darkneſs, and order out of confuſion, make all our troubles terminate in what ſhall prove the felicity of all!

[a] See Mr Burke's ſpeech, March 1775.

T A B L E,

Containing a ſummary of all the particulars above treated.

A D V E R T I S E M E N T.

Page

APOLOGY for examining this ſubject in a ſermon, and for publiſhing. 3.

I N T R O D U C T I O N:

Afflictions calls to repentance. Bad effects of particular vices warnings to forſake thoſe vices. 9.

The caſe of war. 10.

The guilty authors but few;—the multitude miſled by their arts. The utility of expoſing theſe arts early. 11.

D I V I S I O N.

Obſervations.—1. on the rights of magiſtracy.—2. on the grounds of the preſent colonial war. 14.

P A R T I.

Alterations conſtitutionally made not *innovations*. ib.

The duty of ſubjects *obedience*. The principle of *non-reſiſtance* in any caſe, not juſtly deducible. General precepts often admit *exceptions*. 15.

The very reaſon of the precept ſhows there may be caſes excepted. 16.

The cauſe which juſtifies reſiſtance, muſt be,—1. *important*. Nothing leſs than ſuch tyranny as is more inſupportable than civil war. 17.

Difference between *inexpedient* and *immoral*, in human laws. 19.

Tho' no immoral command ought to be obeyed, it follows not, that every ſuch command may be reſiſted. 20.

—2. *public*. The cauſe of the *whole*, not of a *part*. Toleration in religion a natural right. The chief limits to civil laws the *impoſſible* and the *immoral*. ib.

The ſupport of an eſtabliſhment, whatever it be, generally favourable to public tranquility, and therefore entitled to acquieſcence or *paſſive obedience*. 21.

If uncommon barbarity may excuſe reſiſtance in a

Page.

private cause, it can never exalt it into a virtue, as in the cause of the public. It is even virtuous to resign a private right, for the good of society. 22.

—3. *understood* by the community to be both important and public. When doubtful, our only safe guide *the precept*. 23.

A right in the people to resist in cases of necessity, cannot justify resistance, where the necessity is not real. Note 24.

The author's reason for not recurring to the *original compact*. 25.

Obj. These principles unfriendly to improvement,--*answered*. Criminal innovations may originate with the rulers. 27.

The case of *Charles I.* and the long parliament. 28.

The madness of destroying a good constitution in the hope of erecting a better in its stead. 29.

PART II.

The present question important. 30.

It affects the whole legislature. The right of *taxing* America the hinge of the controversy. 31.

This right favoured,—1. by *custom*, both before and since the revolution. 32.

—2. by the colonial *charters*,—3. by the practice of the *legislature* in other articles. 33.

The doctrine of an essential difference between *money acts* and other acts, ridiculous. Restraints on trade reciprocal. 34.

American *objection* to British laws, from the want of their *consent*. 35.

Ans. If consent were necessary, none would be bound by a law, but they who *voted for* it. The futility of what is called *virtual*, or *implied*, consent. 36.

If consent means only the *acquiescence* required by the constitution, this the same in all governments, even the most arbitrary. 37.

No *self-government*, where a man is governed by the opinion and will of others, whether one or many, and not by his own. Perfect liberty incompatible with civil society. There liberty always in part sacrificed for *protection*. 38.

Page.

The liberty of the state mistaken for that of its members. *Women* and *children*, on the principles of our republicans, absolute *slaves*. Note 39.

The distinction of *legal* and *arbitrary*, *free* and *slavish*, as applied to government. 40.

Advantages of the British constitution. 42.

By modern republican maxims Poland the most perfect government. 44.

The body of laws in no civilized country the work of persons now living. Our *acquiescence* such as we give to the laws of the universe, whereof we are surely not the makers. 45

Modern republicans think their model the only *lawful* government. Terrible consequences of this doctrine. 46.

The reverse of that of the gospel. 47.

The Jewish notion on the subject of taxes different from the American, but the object the same. Their title to exemption not admitted by our Saviour. 49.

A singular effrontery in men who keep slaves to exclaim about life, liberty, and property, as the unalienable rights of mankind. Note 50.

The Jews, tho' both a distant and different nation from the Romans, and not concurring in assessing themselves, expresly enjoined to pay. 51

By the maxims of our republicans, Christ and his apostles preachers of *slavery*, both *internal* and *external*. Note 53.

Obj. The apostolical injunctions on this head prudential advices. 54.

Ans. This plea confuted by the terms used. 55.

Rousseau a famous republican admits that christianity and his system are incompatible. 56.

The part which our religion takes in regard to the constitution. 57.

Not unfavourable to the constitutional support of civil rights. 58.

The malice of the congress to the king; the present not so properly the *king's* quarrel as the *nation's*, particularly the *legislature's*. 59

The Americans have no more a *constitutional*, than a *natural* title to what they claim. Not one in twenty of the people of Britain represented in parliament. 60.

Page.

The disadvantage the Americans sustain in this respect the necessary consequence of their situation. No remedy that has been suggested, relished by them. Their manifest aim *immunity*. 61.

They contribute but a part of the expence of their own internal government, no part of what is necessary for the defence of the whole, nor for discharging the debt incurred by the two last wars, tho' entered into, for their protection, and in consequence of their clamours. 62.

The sum of their proposals to Great Britain. Great advantages demanded. Their returns discretionary. 63.

A character of the colonies given by one of their friends. 65.

The duplicity of the congress in regard to the establishment of the Roman Catholic religion in Canada. The character of the people not to be concluded, from the actions of the congress. Note. ib.

CONCLUSION.

Caution against allowing the pretence of liberty to betray us into *licentiousness*. 68.

Pretenders of this stamp in the apostolic age. The people objects of pity more than of resentment. 69.

Not the interest of Britain that America be enslaved. The interest of both the same. A vulgar error that government is the freer the more *republican*. The great blunder in the American governments, they were too republican. Their good, as well as ours, requires that this be rectified. 70.

THE END.

e.

1.

2.

3.

5.

ib.

68.

69.

70.